

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED
OCT 10 2017
Clerk, U.S. Courts
District Of Montana
Missoula Division

CANDI-LEE WEEKS,

Plaintiff,

vs.

BRADLEY F. JOHNSON, BILL DIAL,
KRISTI CURTIS, KEVIN CONWAY,
SHANE ERICKSON, CHASE
GARNER, CHUCK STEARNS,
BRIDGER KELCH, JOHN MUHFELD,
BILL HILL, and BRIAN CARTER,

Defendants.

CV 16-161-M-DLC-JCL

ORDER

Before the Court are United States Magistrate Judge Jeremiah C. Lynch's Findings and Recommendations in this case entered on July 26, 2017, July 27, 2017, and September 14, 2017. (Docs. 59, 60, 67.) Judge Lynch recommends that: the Motion to Dismiss for Failure to State a Claim filed by Defendants Bradley Johnson, Kristi Curtis, Kevin Conway, Shane Erickson, Chase Garner, Chuck Stearns, Bridger Kelch and John Muhfeld ("City Defendants") (Doc. 10) be granted; Defendant Brian Carter's ("Carter") Motion to Dismiss for Failure to State a Claim (Doc. 34) be granted; and Defendant Bill Dial's ("Dial") Motion for

Summary Judgment be granted. Plaintiff Candi-Lee Weeks (“Weeks”) filed a timely objection to the Findings and Recommendations regarding the motions to dismiss, and so is entitled to a de novo review of those findings and recommendations to which she specifically objects. 28 U.S.C. § 636(b)(1)(C). Weeks did not timely object to the Findings and Recommendations regarding Dial’s Motion for Summary Judgment, however, this Court will treat it as if it was timely filed and will review de novo. This Court reviews for clear error those findings and recommendations to which no party objects. *See McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Judge Lynch concluded, and this Court agrees, that dismissal is appropriate because Weeks has not stated a claim upon which relief could be granted or presented a genuine issue of material fact. All of Weeks’ objections and notices to this Court following Judge Lynch’s Findings and Recommendations do not raise any new issues of law or fact to warrant allowing her claims to continue. The arguments are incoherent, unpersuasive, and lack explanation. While Weeks’ objections present some law (e.g., *The Magna Carta*), she does not explain how

the law cited supports her position and the Court cannot discern a plausible relevance for the cases cited.

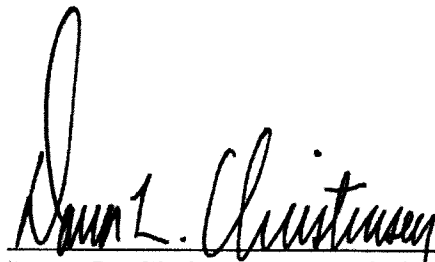
Accordingly, IT IS ORDERED that Judge Lynch's Findings and Recommendations (Docs. 59, 60, 67) are ADOPTED IN FULL.

(1) The City Defendants' Motion to Dismiss (Doc. 10) is GRANTED without leave to amend.

(2) Carter's Motion to Dismiss (Doc. 34) is GRANTED.

(3) Dial's Motion for Summary Judgment (Doc. 43) is GRANTED.

DATED this 10th day of October, 2017.

A handwritten signature in black ink, appearing to read "Dana L. Christensen", is written over a horizontal line.

Dana L. Christensen, Chief District Judge
United States District Court